

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>QUIYDAAR MUHAMMAD,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 1:19-cv-159-SPB-RAL</b>
	)	
<b>SUZANNE C. MACK,</b>	)	
	)	
<b>Respondent.</b>	)	

**MEMORANDUM ORDER**

The petition for a writ of habeas corpus in this case was received by the Clerk of Court on May 29, 2019 and was referred to United States Magistrate Judge Richard A. Lanzillo, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges. ECF No. 1.

On June 11, 2019, Magistrate Judge Lanzillo issued a Report and Recommendation in which he opined that the within petition should be dismissed for lack of jurisdiction. ECF No. 5. The Magistrate Judge reasoned that the Petitioner is not in custody for purposes of obtaining federal habeas corpus relief, he has not exhausted his claims in state court, and his claims are barred from consideration in this Court pursuant to the *Younger* abstention doctrine. *Id.*; see *Younger v. Harris*, 401 U.S. 37, 43-44 (1971).

Petitioner has since filed numerous documents variously styled as “Judicial Cognizance of Respondent’s Constitutional Oath of Office,” ECF N. 7, “Sua Sponte Opposition and Vacation to Report and Recommendation,” ECF No. 8, “Judicial Cognizance of Exhibits in Support of Sua Sponte Opposition and Vacation of Reply and Recommendation,” ECF No. 11, and Judicial Cognizance *Sua Sponte* of Special Appearance to Challenge Jurisdiction of Persons (Personal

Jurisdiction) and Jurisdiction of Subject-Matter, ECF No. 12. The undersigned has construed these filings collectively as objections to the Report and Recommendation.

After *de novo* review of the petition and documents in the case, together with the Report and Recommendation and Petitioners' various filings in relation thereto, the following order is entered:

AND NOW, this 11th day of July, 2019, IT IS ORDERED that the within petition for a writ of habeas corpus shall be, and hereby is, DISMISSED for lack of jurisdiction.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Lanzillo, issued on June 11, 2019, ECF No. [5], is hereby adopted as the opinion of this Court.

As there are no further matters pending before the Court relative to the instant petition, the Clerk is directed to mark this case "CLOSED."



SUSAN PARADISE BAXTER  
United States District Judge

cm: Quiydaar Muhammad  
1847 Linwood Avenue  
Erie, PA 16510

The Honorable Richard A. Lanzillo (via CM/ECF)